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DES MOINES, IA 50309-2721

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MAY 16 2005

OFFICE OF PETITIONS

In re Application of	:	
Cosgrove et al.	:	
Application No. 10/670,009	:	DECISION REFUSING TO
Filed: September 24, 2003	:	ACCORD STATUS
Attorney Docket No. P04666US08	:	UNDER 37 CFR 1.47(a)
For: Purified Plant Expansin Proteins and	:	
DNA Encoding Same	:	

This is a decision on the petition under 37 CFR 1.47(a), filed September 20, 2004.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)" and may include an oath or declaration executed by the current non-signing inventor(s). **Failure to respond will result in abandonment of the application.**

An additional fee is not necessary for the Request for Reconsideration unless petitioner requests an extension of time.

The petition cannot be granted at this time because the last known address listed for Jun Shi on the petition filed September 20, 2004, differs from the address listed on the declaration filed September 20, 2004. The problem can be resolved by simply filing an Application Data Sheet listing the most recent known address for Jun Shi.

In an attempt to provide assistance, the undersigned performed several internet searches to locate Jun Shi. The Office supplies the resulting information merely as a courtesy. The instant petition includes sufficient proof under 37 CFR 1.47 that the non-signing inventor cannot be found or reached after diligent effort. Petitioner is not required to take any further steps to locate or communicate with Shi. Jun Shi may currently reside at one of the following addresses:

1400 Martin Street
State College, PA 16803-3075

208 Mueller Lab
Apt. F
University Park, PA 16802

550 S. Dupont Hwy.
Apt. 18
New Castle, DE 19720-5193

If petitioner locates Shi and sends her a copy of the declaration, petitioner may wish to include a copy of the application. Shi may not wish to sign a declaration that states she has reviewed the application until she is given a copy of the application.

Further correspondence with respect to this matter should be addressed as follows:

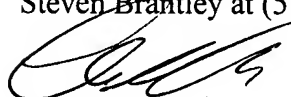
By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306
Attn: Office of Petitions

By hand: U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

If a request for reconsideration is filed, and a decision on the new petition is not received within three months, petitioner may wish to call the number below to check on the status of the renewed petition.

Telephone inquiries concerning the instant decision should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



Charles Steven Brantley
Petitions Attorney
Office of Petitions